APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,108	09/15/2005	Mitsutoshi Nakajima	KNI-195-A	5632

21828   7590   10/26/2010
CARRIER BLACKMAN AND ASSOCIATES
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EXAMINER
YOUNG, MICAH PAUL

ART UNIT	PAPER NUMBER
1618	

MAIL DATE	DELIVERY MODE
10/26/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

The MAILING OR NOTIFICATION DATE of this communication appears on the cover sheet with the correspondence address.

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS,** WHICHEVER IS LONGER, FROM THE MAILING OR NOTIFICATION DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH.

☒ Applicant's request to not have a first-action interview is acknowledged (or the time period for reply set forth in the Pre-Interview Communication has expired and the Office did not receive any reply).

Status

1)☒ Responsive to communication(s) filed on *3 May 2010* and interview conducted on *6/23/10*.

2)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

3)☒ Claim(s) *9-19* is/are pending in the application.

    3a) Of the above claim(s) _____ is/are withdrawn from consideration.

4)☐ Claim(s) _____ is/are allowed.

5)☒ Claim(s) *9-19* is/are rejected.

6)☐ Claim(s) _____ is/are objected to.

7)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

8)☐ The specification is objected to by the Examiner.

9)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

10)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

11)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   *See the attached detailed Office action for a list of the certified copies not received.

Contact Information

    Examiner's Telephone Number: (571)272-0608

    Examiner's Typical Work Schedule: Monday-Thursday 7:00-5:30; every Friday off

    Supervisor's Name: Michael G. Hartley

    Supervisor's Telephone Number: 571-272-0616

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *2/18/05*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	19	Andrianov et al USPN 5500161	102(b)	The '161 patent teaches a method of making mciroparticles (abstract, col. 3, lin. 45-53). The microparticles are formed by flowing together a continuous aqeuous phase with a polyelectric polymer through a microchannel
2	9-19	Andrianov et al USPN 5500161 in view of Bugarski et al (AlChe Journal) June 1994, vol. 40, No. 6	103(a)	The 161 provides a method of making microparticles using a polyelectric solution and a continuous phase flowed together turbulently. The Bugarski study provides a metho of contacting the polyelectric dispersion of 161
3	11		112 2nd paragraph	The claim recites a large volume capacity, yet does not define the term "large". The claim is indefineit since "large" is a relative term not defined by the spec or claim.

Expanded Discussion/Commentary

		(col. 6, lin. 40-55). The microparticles measure 1-1000 microns, and encapsule active agents such as proteins and pahrameuical agetns (Examples, col. 3, lin. 60-65). The polyelectric polymers include polyacrylic and polymethacrylic acids.
		with a polyvalent solution (Ca ions) (Experimental studies pg 1027). The polyelectric dispersion woudl be forced though a small channel (needle/nozzle) and dropped into the Ca solution. The Ca solution has a different charge than the dropping solution and is controlled by disk electrodes. The Ca hardening solution can further comprise alginate. It would have been obvious to form microbeads using this method in order to ensure uniform bead size. Without the reversing negative feild of the hardening solution particle size varied widely (page 1029).
		The combination of prior art does not contain a surface active agent.

DATE: 10/18/2010	/MICAH-PAUL YOUNG/ Examiner, Art Unit 1618	/Michael G. Hartley/ Supervisory Patent Examiner, Art Unit 1618

U.S. Patent and Trademark Office
PTOL-413FA (Rev. 07-09)   First Action Interview Office Action Summary   Part of Paper No./Mail Date

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